

RECEIVED

FEB 12 2004

OFFICE OF PETITIONS

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:) Group Art Unit: 2877
)
Yun Chur CHUNG *et al.*) Examiner: G. Stock
)
Serial Number: 09/767,919) Attorney Docket: CHUN3024beu
)
Filed: January 24, 2001) Confirmation No.: 2862

For: Method And Apparatus For Monitoring Optical Signal-To-Noise Ratio (OSNR)
Using Polarization-Nulling Method

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 C.F.R. § 1.137(b)

Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

Applicant respectfully requests revival of the above-identified application pursuant to 37 CFR §1.137(b).

The application became abandoned on February 6, 2003, for failure to submit a required response to an Office Action dated November 6, 2002. A Notice of Abandonment was mailed on May 20, 2003.

The abandonment of the application for failure to prosecute was an unintentional delay. **The entire delay in filing the required reply from the due date until the filing of this petition was unintentional.**

There were two reasons for the delay:

- a. change of ownership of the application, which resulted in changes in the Korean law firms handling the case (an assignment is attached hereto);
- b. a heavy workload on the part of the undersigned.

Serial Number 09/767,919

The undersigned was notified that the Korean law firm had changed from Daeilpat to Roh & Yang in a letter dated March 28, 2003. Daeilpat had previously sent instructions to proceed with a response on January 8, 2003, but after the March 28 letter, it was not clear whether the undersigned was authorized to proceed. It was finally determined, based on a letter dated September 2, 2003, that the case was being handled in Korea by COEX Intellectual Property Law Office and that the undersigned was being retained by them to proceed with a response. The undersigned did not receive specific instructions to revive the application until November 20, 2003, and the delay since then has been the result of heavy work load.

The required reply, in the form of an Amendment and Response, is attached.

The application status is small entity. Enclosed is a check for the petition fee of \$665.00.

Respectfully submitted,

BACON & THOMAS, PLLC



By: BENJAMIN E. URCIA
Registration No. 33,805

Date: February 9, 2004

BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

NWB:S:\Producer\neu\Pending A...HCC\HUNG767919\01137pet.wpl